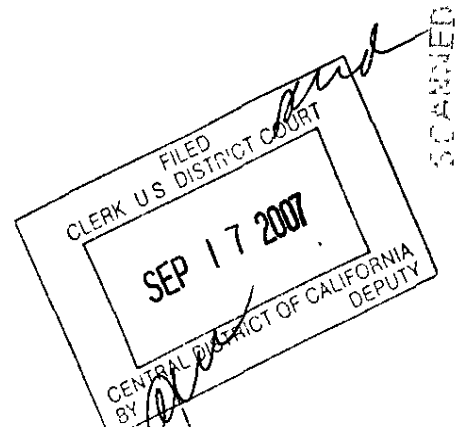


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Attorneys for Defendant
MERCK & CO., INC.



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CARRIE SMITH, et al.,

Plaintiffs,

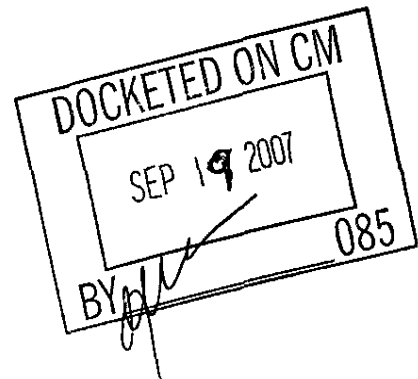
vs.

MERCK & CO., INC. and McKESSON
CORPORATION,

Defendants.

CASE NO.: CV07-4655-R-(CWx)

**[REDACTED] ORDER GRANTING
MOTION TO STAY PROCEEDINGS**



#23

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LOS ANGELES, CALIFORNIA 90067
(310) 229-9900

LOGGED

07 AUG 23
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES
BY [signature]

1 The Court has considered and reviewed the motion of Defendant Merck & Co.,
2 Inc. for an order staying this action pending transfer to *In re Fosamax Prods. Liab*
3 *Litig.*, MDL No.1789 For the reasons set forth therein, and good cause appearing

4 IT IS HEREBY ORDERED that all proceedings in this action are stayed pending
5 transfer of the action to MDL Proceeding No. 1789, *In re Fosamax Products Liability*
6 *Litigation*, in the Southern District of New York, or until further order of this Court.

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8 DATED: Sept. 14, 2007

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11 UNITED STATES DISTRICT JUDGE

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2049 Century Park East, #2100, Los Angeles, California 90067.

On August 23, 2007, I served the foregoing document(s) described as **[PROPOSED] ORDER GRANTING MOTION TO STAY PROCEEDINGS** on the interested parties in this action addressed as follows:

SEE ATTACHED SERVICE LIST

☒ By placing true copies thereof enclosed in a sealed envelope(s) addressed as stated above.

☐ **BY PERSONAL SERVICE (CCP §1011):** I delivered such envelope(s) by hand to the addressee(s) as stated above.

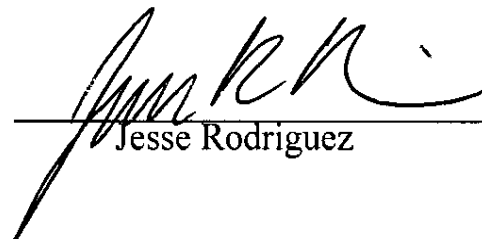
☒ **BY MAIL (CCP §1013(a)&(b)):** I am readily familiar with the firm's practice of collection and processing correspondence for mailing with the U.S. Postal Service. Under that practice such envelope(s) is deposited with the U.S. postal service on the same day this declaration was executed, with postage thereon fully prepaid at 2049 Century Park East, #2100 Los Angeles, California, in the ordinary course of business.

☐ **BY OVERNIGHT DELIVERY (CCP §1013(c)&(d)):** I am readily familiar with the firm's practice of collection and processing items for delivery with Overnight Delivery. Under that practice such envelope(s) is deposited at a facility regularly maintained by Overnight Delivery or delivered to an authorized courier or driver authorized by Overnight Delivery to receive such envelope(s), on the same day this declaration was executed, with delivery fees fully provided for at 2049 Century Park East, #2100 Los Angeles, California, in the ordinary course of business.

Executed on August 23, 2007, at Los Angeles, California

☐ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ **(FEDERAL)** I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.



 Jesse Rodriguez

ATTACHED SERVICE LIST

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FILED